

House Engrossed

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 235

HOUSE BILL 2669

AN ACT

AMENDING LAWS 1999, CHAPTER 313, SECTION 35, AS AMENDED BY LAWS 2001, CHAPTER 140, SECTION 1 AND LAWS 2003, CHAPTER 76, SECTION 1; AMENDING LAWS 1999, CHAPTER 313, SECTION 41, AS AMENDED BY LAWS 2001, CHAPTER 140, SECTION 2; RELATING TO THE ALZHEIMER'S TREATMENT ASSISTIVE LIVING FACILITY DEMONSTRATION PILOT PROJECT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Laws 1999, chapter 313, section 35, as amended by Laws 2001, chapter 140, section 1 and Laws 2003, chapter 76, section 1, is amended to read:

Sec. 35. Alzheimer's treatment assistive living facility demonstration pilot project

A. Beginning on October 1, 1999, the Alzheimer's treatment assistive living facility demonstration pilot project is established. ~~Any person NOT MORE THAN THREE HUNDRED PERSONS who is HAVE BEEN~~ diagnosed with Alzheimer's disease or other dementia and who ~~is~~ ARE eligible for title XIX services pursuant to section 36-2931, Arizona Revised Statutes, may participate in the pilot project ~~subject to the following limitation on the maximum number of participants:~~ AT ANY ONE TIME.

~~1. Beginning on October 1, 2001 through the effective date of this amendment to this section, not more than one hundred persons at any one time.~~

~~2. Beginning after the effective date of this amendment to this section, through December 31, 2003, not more than two hundred persons at any one time.~~

~~3. Beginning on January 1, 2004 through October 1, 2005, not more than three hundred persons at any one time.~~

B. Alzheimer's treatment assistive living facilities that participated in the demonstration project established by Laws 1994, chapter 103, section 1, as amended by Laws 1995, chapter 105, section 2 and Laws 1998, chapter 178, section 15, are eligible for this pilot project. Beginning on October 1, 2001, any Alzheimer's treatment assistive living facility that meets the requirements of this section may participate in the demonstration project.

C. To receive reimbursement for title XIX covered services, the assisted living facilities shall provide a level of care that does not exceed directed care services as defined in section 36-401, Arizona Revised Statutes, and must contract with a program contractor at the reimbursement rate offered by the program contractor. Title XIX covered services do not include room and board in an assisted living facility.

D. An assisted living facility participating in the pilot project shall have buildings and furnishings that are designed for the residents' safety. The facility's physical plant, safety and food service standards shall meet or exceed department of health services rules for assisted living facilities.

E. Residents shall live in a single residential room, unless otherwise requested by the resident or the resident's legal guardian. Each residential room shall be constructed as a private room and shall include living and sleeping space, a private bathroom and a storage area. If a person resides in a county with a population of less than five hundred thousand persons according to the most recent United States decennial census, the director of the Arizona health care cost containment system may waive the single room requirement if the only choice available to that person is to reside in a

1 nursing facility. If the resident's room does not have a private bathroom,
2 the assisted living facility must have a bathroom that is equipped with a
3 single toilet and a single shower and a door that can be closed to provide
4 privacy for a resident.

5 F. The resident to staff ratio shall be designed to meet each
6 resident's daily activity needs. There shall not be more than six residents
7 for each staff member during the morning and evening hours and not more than
8 twelve residents for each staff member during nighttime hours. The
9 facility's director and maintenance staff are not included in computing this
10 ratio. The manager of the facility shall have a minimum of a bachelor degree
11 or three years' work experience with persons with Alzheimer's disease or
12 dementia.

13 G. Each manager and caregiver participating in the assistive living
14 facility pilot project shall receive orientation and training as required in
15 the assisted living facility rules adopted by the department of health
16 services.

17 ~~H. The Arizona health care cost containment system administration~~
18 ~~shall conduct an evaluation of the pilot project and shall submit a report of~~
19 ~~its findings to the governor, the speaker of the house of representatives and~~
20 ~~the president of the senate on or before January 15, 2005. The administration~~
21 ~~shall provide a copy of this report to the secretary of state and the~~
22 ~~director of the department of library, archives and public records. The~~
23 ~~evaluation shall include the following:~~

24 ~~1. A recommendation of whether Alzheimer's assisted living facilities~~
25 ~~should be an approved permanent setting for the Arizona long-term care system~~
26 ~~established pursuant to title 36, chapter 29, article 2, Arizona Revised~~
27 ~~Statutes.~~

28 ~~2. The number of persons by setting in each reporting year who~~
29 ~~received services from an assisted living facility participating in the pilot~~
30 ~~project, by area.~~

31 ~~3. A list of the assisted living facilities participating in the pilot~~
32 ~~project.~~

33 ~~4. The length of placement in the assisted living facilities~~
34 ~~participating in the pilot project.~~

35 ~~5. The cost of services provided to pilot project participants for~~
36 ~~each of the reporting years.~~

37 ~~6. The percentage of emergency room visits and hospitalizations by~~
38 ~~each person participating in the pilot project.~~

39 ~~7. The number of persons transferred from assisted living facilities~~
40 ~~participating in the pilot project and the setting where the person was~~
41 ~~moved.~~

42 ~~8. The number and type of deficiencies, any plans of correction or~~
43 ~~complaint investigations at any of the assisted living facilities~~
44 ~~participating in the pilot project as provided to the Arizona health care~~
45 ~~cost containment system administration by the department of health services.~~

1 ~~9. Whether the assistive living facilities participating in the pilot~~
2 ~~project were able to deliver title XIX services at a reasonable cost when~~
3 ~~compared with other alternative residential facilities that provide services~~
4 ~~to persons with Alzheimer's disease.~~

5 ~~10. The impact of the pilot project in rural and urban areas of this~~
6 ~~state.~~

7 ~~11. A recommendation on whether to continue the pilot project on a~~
8 ~~statewide basis.~~

9 ~~12. Any other information that the Arizona health care cost containment~~
10 ~~system administration determines is necessary to help evaluate the efficacy~~
11 ~~and cost-effectiveness of the pilot project.~~

12 Sec. 2. Laws 1999, chapter 313, section 41, as amended by Laws 2001,
13 chapter 140, section 2, is amended to read:

14 Sec. 41. Delayed repeal

15 Laws 1999, chapter 313, section 35, AS AMENDED BY LAWS 2001, CHAPTER
16 140, SECTION 1, LAWS 2003, CHAPTER 76, SECTION 1 AND THIS ACT, relating to
17 the Alzheimer's treatment assistive living facility demonstration pilot
18 project, is repealed ~~on October 1, 2005~~ FROM AND AFTER DECEMBER 31, 2007.


APPROVED BY THE GOVERNOR APRIL 25, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2005.

Passed the House March 8, 2005

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting



Speaker of the House


Chief Clerk of the House

Passed the Senate April 18, 2005

by the following vote: 27 Ayes,

2 Nays, 1 Not Voting


President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of April, 2005

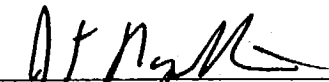
at 8:45 o'clock a. M.


Secretary to the Governor

Approved this 25 day of

April, 2005,

at 9:35 o'clock A. M.



Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of April, 2005,

at 4:33 o'clock P. M.


Secretary of State